

OPINION 1685***Rana sphenocephala* Cope, 1886 (Amphibia, Anura): given precedence over *Rana utricularius* Harlan, 1826****Ruling**

(1) Under the plenary powers the specific name *sphenocephala* Cope, 1886, as published in the trinomen *Rana halecina sphenocephala*, is hereby given precedence over the specific name *utricularius* Harlan, 1826, as published in the binomen *Rana utricularius*, whenever the two names are considered to be synonyms.

(2) The following names are hereby placed on the Official List of Specific Names in Zoology:

- (a) *sphenocephala* Cope, 1886, as published in the trinomen *Rana halecina sphenocephala*, with the endorsement that it is to be given precedence over *utricularius* Harlan, 1826, as published in the binomen *Rana utricularius*, whenever the two names are considered to be synonyms;
- (b) *utricularius* Harlan, 1826, as published in the binomen *Rana utricularius*, with the endorsement that it is not to be given priority over *sphenocephala* Cope, 1886, as published in the trinomen *Rana halecina sphenocephala*, whenever the two names are considered to be synonyms.

History of Case 2141

An application for *Rana sphenocephala* Cope, 1886 to be given precedence over *Rana utricularius* Harlan, 1826 was received from Profs Lauren E. Brown (*Illinois State University, Normal, Illinois, U.S.A.*), Hobart M. Smith (*University of Colorado, Boulder, Colorado, U.S.A.*) and Richard S. Funk (*University of Tennessee, Knoxville, Tennessee, U.S.A.*) on 19 October 1990. After correspondence the case was published in BZN 47: 283–285 (December 1990). Notice of the case was sent to appropriate journals.

A case for the conservation of the specific name *sphenocephala* Cope, 1886 by the suppression of *utricularius* Harlan, 1826 was published in 1977 (BZN 33: 195–203). Comments in support and opposition were published in BZN 34: 199–200 (February 1978) and 39: 80–84 (June 1982), and a reply by the authors of the application was published in BZN 39: 84–90. The opposition applied particularly to the suppression of *utricularius* and was largely on taxonomic grounds; because of this an impasse was reached and the case remained unresolved. In the past decade both specific names have had use (BZN 47: 284, para. 7), with *sphenocephala* predominating. The second application briefly reviewed the history and sought to give *sphenocephala* precedence over *utricularius* without suppressing the latter name.

On 7 May 1991 a letter in opposition was received from Dr George R. Zug (*National Museum of Natural History, Washington, D.C., U.S.A.*). Dr Zug stated that his letter was 'for the Commission members' attention' and not for publication; a version for publication was requested but not received. Dr Zug had opposed the earlier application on taxonomic grounds (see BZN 39: 80–81) which were not accepted by the applicants

(BZN 39: 84–90). In his recent letter Dr Zug said that he would not repeat those points again but 'I remain opposed to the use of a junior synonym (*sphenocephala*) when a valid senior name (*utricularius*) is available and has been used recently and in major publications... Since Pace (1974) the name *utricularius* was gaining increasing use until Brown et al. published a note that *sphenocephala* should be used... The list of 103 references [from 1924–1974] using *sphenocephala* [see para. 5 of the application] has little bearing because its prior use was conceptually different from Pace's *utricularius* and thus from the concept of *sphenocephala* now being supported by Brown et al.... Please allow priority to determine usage'.

Dr Zug considered that *utricularius* Harlan, 1826 was the valid synonym of *sphenocephala* Cope, 1886. Prof Brown et al. believed that *utricularius* probably corresponded to *pipiens* Schreber, 1782; they pointed out that *utricularius* was unused until Pace (1974) and urged that *sphenocephala* should be conserved for the southern leopard frog for which it was in use. In an effort to settle the case they rescinded their previous request for the suppression of *utricularius*, which could remain available for a taxon within the '*R. pipiens* complex'.

A comment in support of the proposal by Brown et al. from Dr David M. Hollis (*University of Texas, Austin, Texas, U.S.A.*) was published in BZN 47: 298–299 (December 1990). Support was also received from Prof Jay M. Savage (*University of Miami, Florida, U.S.A.*).

Decision of the Commission

On 1 December 1991 the members of the Commission were invited to vote on the proposals published in BZN 47: 284–285. At the close of the voting period on 1 March 1992 the votes were as follows:

Affirmative votes — 20: Bock, Cocks, Corliss, Hahn, Halvorsen, Heppell (in part), Holthuis, Kabata, Kraus, Lehtinen, Mahnert, Minelli, Nielsen, Nye, Ride, Savage, Schuster, Trjapitzin, Uéno, Willink

Negative votes — 9: Bayer, Bouchet, Cogger, Dupuis, Macpherson, Martins de Souza, Starobogatov, Štys and Thompson.

Heppell commented that to give one name precedence over the other was inappropriate since it did not seem possible to associate the name *Rana utricularius* Harlan, 1826 with any particular segregate; *R. sphenocephala* Cope, 1886 should be conserved to maintain stability and he therefore supported the proposal to place it on the Official List, but without any endorsement. He noted that it had been made clear in the revised application that *utricularius* was unused because of its accepted synonymy with the senior name *R. pipiens* Schreber, 1782, and that nothing in the original description of *utricularius* indicated that Pace (1974) was correct in regarding the taxon as a senior synonym of *sphenocephala*. The inadequate description, absence of type material (other than Pace's contentious neotype) and ill-defined type locality meant that *utricularius* was a nomen dubium. The resurrection of a name long accepted as a junior synonym of one taxon in order to upset the long-established usage of another was unjustifiable. Cogger commented that, since *sphenocephala* and *utricularius* continued to appear in the literature as intraspecific names, to give one precedence was inappropriate and priority should apply. Dupuis, Macpherson, Martins da Souza and Štys commented that the taxonomy of the group was still unsettled.

Original references

The following are the original references to the names placed on an Official List by the ruling given in the present Opinion:

sphenocephala, *Rana halecina*, Cope, 1886, *Proceedings of the American Philosophical Society*, **23**: 517.

utricularius, *Rana*, Harlan, 1826, *American Journal of Science and Arts*, (1)**10**: 60.